

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>MARVIN SKINNER,</b>	)	<b>Case No. 3:06CV2313</b>
	)	
<b>Petitioner,</b>	)	<b>JUDGE SARA LIOI</b>
	)	
<b>v.</b>	)	
	)	<b><u>ORDER</u></b>
<b>MICHELLE EBERLIN, Warden,</b>	)	
	)	
	)	
<b>Respondent.</b>	)	

On September 25, 2006, petitioner Marvin Skinner (petitioner) filed a Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 (Docket No. 1). On May 18, 2007, petitioner filed a motion, pursuant to Fed. R. Civ. P. 41(a)(2), to voluntarily dismiss his petition without prejudice (Docket No. 14). In support of his motion, petitioner, through counsel, states that, having conferred with counsel and having evaluated the viability of his claims in light of new facts, he believes that “his best interests would be served by voluntary dismissal of the petition and termination of these proceedings” (Docket No. 14 at 2).

Before the Court is the Report and Recommendation of Magistrate Judge David S. Perelman (Docket No. 15). In his Report, the Magistrate Judge recommends that petitioner’s motion for voluntary dismissal be granted.

The Court has reviewed the Report and Recommendation *de novo*, as well petitioner’s motion for dismissal. The Court finds the Report and Recommendation to have been well-reasoned and factually correct. Dismissal of this petition is appropriate. Therefore,

Magistrate Judge Perelman's Report and Recommendation (Docket No. 15) is hereby **ADOPTED** in full and petitioner's Motion for Voluntary Dismissal (Docket No. 14) is **GRANTED**. The petition is **DISMISSED WITHOUT PREJUDICE**.

**IT IS SO ORDERED.**

Dated: May 30, 2007

s/ Sara Lioi  
Hon. Sara Lioi  
United States District Judge